



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

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First District

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Third District

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Fifth District

DATE: June 20, 2012

##

TO: Board of Supervisors

SUBJECT: GENERAL PLAN AMENDMENT WORKPLAN OPTIONS FOR
PROPERTY SPECIFIC REQUESTS (DISTRICT: ALL)

SUMMARY:

Overview

During a workshop held January 9 through January 11, 2012 (1), the Board of Supervisors considered over 137 private property owner requests to modify the County of San Diego's General Plan land use designations. 56 requests were referred back to staff by the Board for further evaluation. Actions directed by the Board varied between requests but included steps such as determining if a modified request was available that could be consistent with the General Plan Guiding Principles, obtaining community planning group input, determining what larger study areas (if any) required consideration in making changes to the plan, notifying potentially affected property owners, and developing workplan options for amending the General Plan. This report responds to Board direction related to the private property owner requests.

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

1. Receive this report of staff's evaluation of property specific requests.
2. Provide direction to staff on whether or not to take any specific action on any request such as initiation of a General Plan Amendment.
3. Establish appropriations of up to \$1,560,000 in Fiscal Year 2011-12 for implementation of the workplan and associated General Plan Amendments based on General Fund fund balance available. **(4 VOTES)**

Fiscal Impact

Funds for this request are not included in the Fiscal Year 2011-12 Operational Plan for the Department of Planning and Land Use. If approved, this request will result in costs of up to \$1,560,000 for implementation of the workplan and General Plan amendments. The funding source is General Fund fund balance available. There is no annual cost and no additional staff years.

Adoption of a General Plan Amendment that changes the General Plan's land use map and/or Mobility Element network could likely impact the Transportation Impact Fee

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program. The more substantial the change, the greater the need to revise/update the Transportation Impact Fee program to ensure that this program remains consistent with the adopted General Plan. Based on the cost for previous Transportation Impact Fee Program updates, these additional costs could range from an estimated \$150,000 to \$750,000 depending on the extent of changes and complexity of the General Plan Amendment. Also, the restudy of the floodway mapping related to Unresolved Request VC67, as discussed in the Background, is estimated at \$50,000. Additional funding would be needed to fund these updates.

Business Impact Statement

N/A

Advisory Board Statement

N/A

BACKGROUND:

On August 3, 2011(1), the Board of Supervisors adopted the General Plan Update. After adoption of the General Plan Update, the Board directed staff to hold a workshop to review 137 property specific requests (PSRs) that had arisen during public testimony on the General Plan Update and that were not included in the adopted plan. The Board also asked that each request be evaluated against the General Plan Guiding Principles and for potential impact to the Forest Conservation Initiative (FCI) remapping efforts.

The workshop was held January 9 through January 11, 2012 (1). 56 requests were referred back to staff by the Board for further evaluation. Actions directed by the Board varied between requests but included steps such as determining if a modified request was available that could be consistent with the General Plan Guiding Principles, obtaining community planning group input, determining what larger study areas (if any) required consideration in making changes to the plan, notifying potentially affected property owners, and developing workplan options (such as timeline and cost) for amending the General Plan. This report responds to all directives from the Board on the private property owner requests.

A complete record of the Board's direction from the workshop is contained in the January 11, 2012 minute order available from the Clerk of the Board or at the following link:

http://www.sdcounty.ca.gov/dplu/gpupdate/docs/BOS_Jan2012/01092012_Regular_mo.pdf

A listing of the requests referred for further staff analysis is also provided below (Table 1). In several areas, requests were grouped together because of proximity and similarity. Some requests also include evaluation of additional properties beyond the original request in order to maintain consistency in land use mapping. These additional properties are referred to as a "study area."

Each request or grouping of requests is presented in a summary sheet in Attachment A. The summary sheet provides relevant exhibits and data for the request considered for the workplan and identifies a workplan category (discussed further below). Most of the requests have also been discussed in prior reports and rather than reprinting those prior materials, a link is provided on each individual worksheet to access relevant past documentation.

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Workplan Categories and Groupings

As requested by the Board, the various requests considered for a General Plan Amendment workplan are categorized by complexity to facilitate decision making (Table 2). Should the Board decide to direct changes to the General Plan, the extent and type of changes will determine the additional work required and the needed support by staff and consultants. Board-directed change is not restricted to any single category or group, nor does it have to include all requests in the category or group. Requests can be intermixed as desired by the Board.

Table 1. Property Specific Requests Referred to Staff for Further Evaluations

	Includes Study Area		Includes Study Area
BONSALL		NORTH COUNTY METRO	
BO18, 20, 22, 29, 32, & 33	X	NC3-A	X
CREST/DEHESA		NC18-A	
CD14		NC22	X
DESERT		NC37	X
DS8	X	NC38, 41, & 48	
DS24		NC42	X
FALLBROOK		NORTH MOUNTAIN	
FB2 & 18	X	NM15	
FB17		NM16	
FB19, 25, & 26	X	PALA PAUMA	
FB21, 22, & 23	X	PP30	
JAMUL/DULZURA		RAMONA	
JD16		RM15	X
JULIAN		RM22	
JL5	X	SAN DIEGUITO	
LAKESIDE		SD2	
LS7-A		SD15	
LS27		SPRING VALLEY	
MOUNTAIN EMPIRE		SV17	
ME19		VALLEY CENTER	
ME26	X	VC7, 9, 11, 20A, 20B, 54, 60, 61, & 66	X
ME30-A		VC51	X
ME31		VC57, 63, & 64	X
		VC67	X

The categories relate to complexity, ranging from Very Low to Very High. In determining complexity, staff considered the ownership size, number of parcels involved, number of possible dwelling units added to the General Plan, environmental issues that could be raised relating to the involved properties, position of the applicable planning group, opposition expected, and other relevant factors. The five categories are generally described below:

- **Very Low Complexity** – These requests would require the least amount of analysis and process for a General Plan Amendment (GPA). They would result in the fewest additional dwelling units to the plan (74) and are not expected to result in any issues or concerns. Upon adoption of a GPA based on the requests under the Very Low

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Complexity category, an update of the Transportation Impact Fee (TIF) Ordinance may be warranted to reflect the 74 additional future dwelling units to recalculate the rates.

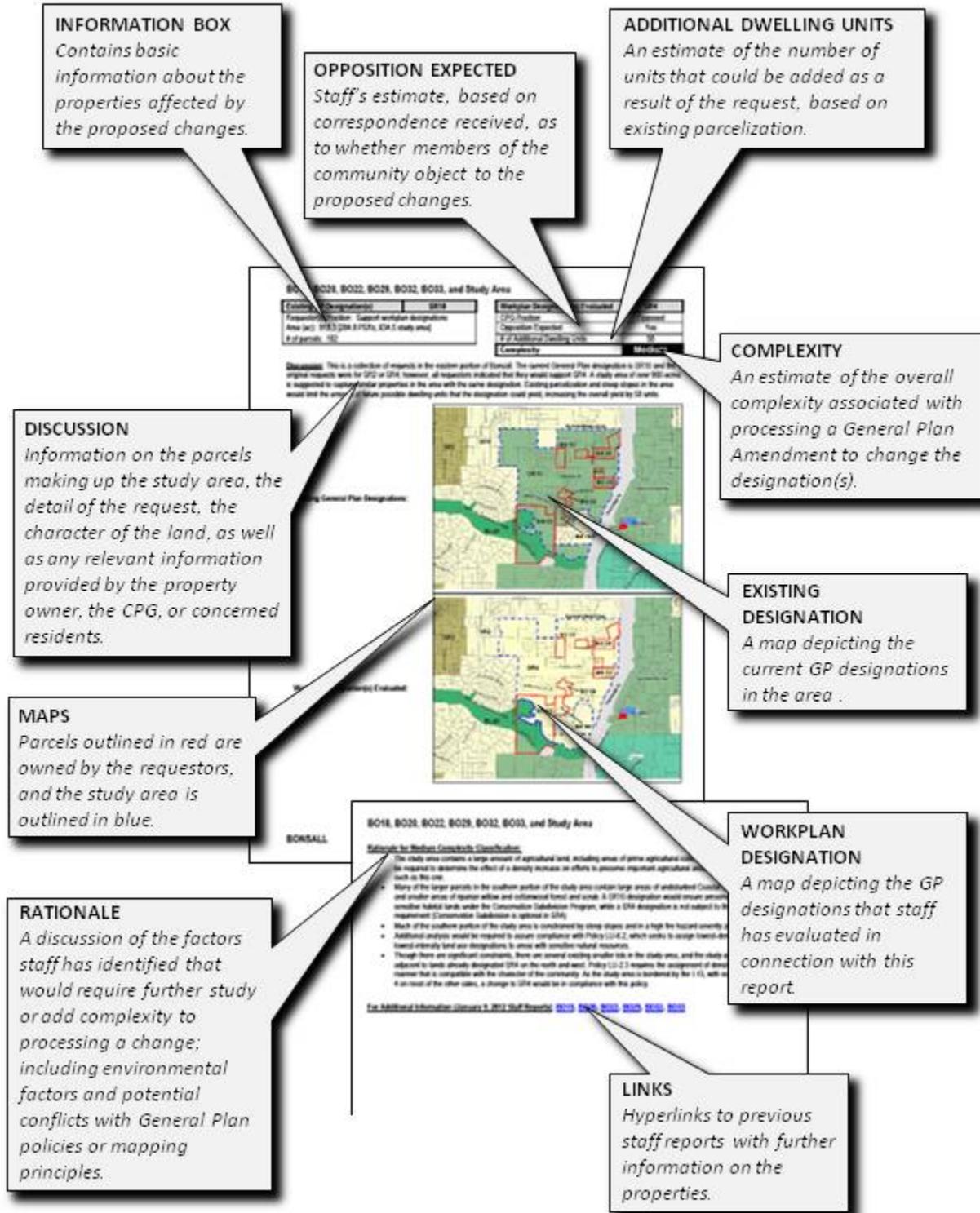
- **Low Complexity** – These requests are not anticipated to require a substantial amount of analysis and coordination in order to process the GPA; however, they would result in 97 additional future dwelling units than the Very Low Complexity category requests, but 219 fewer than the Medium Complexity Category. Additionally, these are requests where consistency with the General Plan principles is clearer; therefore, requiring less justification should concerns arise. Therefore, the overall impacts associated with these requests are generally lower and fewer issues are likely to be raised by the public and interested entities than would be raised by Medium Complexity Category requests. As with the Very Low Complexity requests, a similar update of the TIF Ordinance may be warranted.
- **Medium Complexity** – These requests generally involve the addition of 219 more future dwelling units to the General Plan than the Low Complexity Category requests and/or involve properties that could potentially require more detailed site specific work. Conformance with the General Plan principles may also need greater justification. As with the prior two categories, an update of the TIF Ordinance may be warranted, but would involve additional work to address more significant changes to Land Use Plan and possibly the Mobility Element network.
- **High Complexity** – These requests generally involve the addition of 1,311 more dwelling units to the General Plan than the Medium Complexity Category requests and have known issues that have been raised before that will need to be addressed in order to process an amendment to the General Plan. As these requests involve a greater number of future dwelling units, it is likely that conformance with General Plan principles will require substantial justification. With the increased number of dwelling units that these requests would allow, the requirement to update the TIF Ordinance would be more likely and would require more extensive changes.
- **Very High Complexity** – In considering the requests and possible categories, one was uniquely different: NC42. This request involves far more acreage, 1,162 additional dwelling future units than the High Complexity Category, densities up to 20 dwelling units per acre, and more parcels than any of the other requests. It has numerous known issues that have been raised before that will need to be addressed if an amendment is processed. (See the NC42 worksheets in Attachment A for additional information.) Under this category of requests, the scope of changes to the TIF Ordinance would likely be similar to that of the changes required by the High Complexity category requests and necessitate a comprehensive update to the TIF program.

The requests have been categorized by complexity because complexity commonly drives schedule and costs. It is recognized that there may be other approaches to categorizing the requests; such as consideration of community planning group support or whether the request is for a single property or the remapping of a community. Information on the individual requests can be found on the worksheets in this report (Attachment A) and could be used to group the requests differently if desired. Figure 1 depicts the type of information and analysis provided in a typical worksheet. Figure 2 provides a summary of the requests by complexity as well as their additional dwelling units to the plan.

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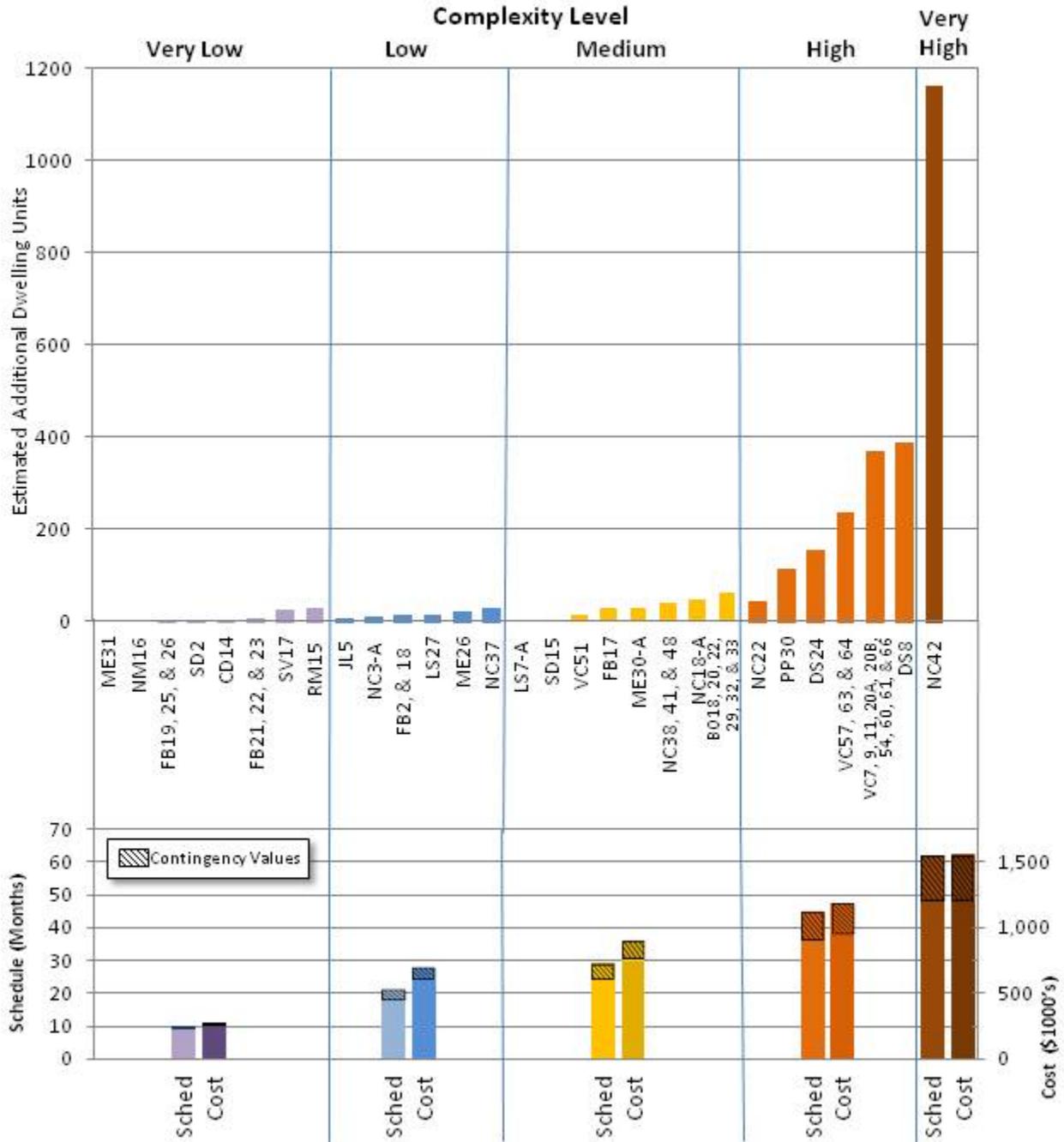
Figure 1. Typical Worksheet

Guide to PSR Worksheets



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Figure 2. Estimates: Complexity, Additional Dwelling Units, Time and Cost by Request



General Plan Amendment Workplan Approach

Any change to the General Plan must occur through a General Plan Amendment (GPA) in compliance with state law. At a minimum, state law requires that all GPAs include coordination with other agencies and tribes, review by the public, documentation and analysis necessary to comply with the California Environmental Quality Act (CEQA), a recommendation by the Planning Commission, and a hearing with the Board of Supervisors. The following is a

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recommended workplan for undertaking an amendment to the General Plan. Time estimates are provided in Table 2 on the next page.

1. Project Initiation
 - a. Prepare detailed scope of work and schedule
 - b. Contract with consultant
 - c. Allocate appropriate resources
 - d. Inform internal and external stakeholders
2. Define Project and Objectives
 - a. Generate project description
 - b. Engage affected property owners
3. Collect & Analyze Data
 - a. Input project parameters into environmental models
 - b. Conduct site visits as necessary
 - c. Collect necessary site specific data
 - d. Collect updated information on cumulative issues
 - e. Generate analysis of project
 - f. Create alternatives as necessary to inform process
 - g. Generate analysis of alternatives
4. Environmental Documentation
 - a. Prepare 1st draft environmental documentation
 - b. Review and revise 1st draft
 - c. Prepare 2nd draft environmental documentation
 - d. Review and revise 2nd draft
 - e. Produce draft for public review
5. Review and Refinement
 - a. Public and agency review
 - b. Tribal consultation
 - c. Attend community meetings as necessary
 - d. Receive and respond to comments
 - e. Revise project and analysis as necessary
6. Hearings
 - a. Prepare staff report and presentations
 - b. Attend Planning Commission hearing
 - c. Attend Board of Supervisors hearing

General Workplan Time and Cost Estimates

It is difficult to accurately project the time and costs required to process a GPA for multiple properties given the number of variables that can change during the process and the limited information available prior to initiating the process. However, based on past experiences, general estimates can be developed. Table 2 estimates the time and costs for the GPA workplan associated with the different complexity categories.

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Table 2. General Workplan Time and Cost Estimates by Category

		Complexity Categories				
		Very Low	Low	Medium	High	Very High
Schedule (Months)	Project Initiation	½	1	1	1	1
	Define Project and Objectives	½	1	1	2	2
	Collect & Analyze Data	1	4	5	8	11
	Environmental Documentation	1	4	6	10	12
	Review and Refinement	2	4	5	8	11
	Hearings	4	4	6	7	11
	Total (months)	9	18	24	36	48
	Add. Schedule Contingency (%)	10	15	20	25	30
	Total (months) with Contingency	10	21	29	45	62
Costs (1000s)	GPA Workplan Staffing	\$200	\$300	\$400	\$500	\$650
	GPA Workplan Consultants	\$50	\$300	\$350	\$450	\$550
	Total GPA Workplan	\$250	\$600	\$750	\$950	\$1,200
	Add. Cost Contingency (%)	10	15	20	25	30
	GPA Workplan with Contingency	\$275	\$690	\$900	\$1188	\$1560
	Restudy VC67 floodplain mapping	\$50	\$50	\$50	\$50	\$50
	TIF Update (Staffing/Consultants)	\$150	\$150	\$250	\$750	\$750
	Total Costs (1000s)	\$475	\$890	\$1200	\$1988	\$2360
Cumulative Totals	Additional DUs	74	97	219	1,311	1,162
	Cumulative Totals	74	171	390	1,701	2,863
	Area (acres)	1,887	2,413	1,514	4,427	2,442
	Cumulative Totals (acres)	1,887	4,300	5,814	10,241	12,683

Table 2 provides the estimated schedule and cost for accommodating requests under each of the five complexity categories. A contingency factor, represented by a percentage of the total, has been added to both the estimated schedule and cost to prepare a GPA. This contingency, which increases as the level of complexity increases, was added based on past experience with developing general estimates for accomplishing Advance Planning tasks. The schedule and cost estimates are often affected by unforeseen circumstances such as changed conditions, unexpected opposition from stakeholders, changes in law, or threats of litigation. Since the likelihood of these situations occurring would increase as the overall complexity increases, the contingency percentage has been increased by 5% with each increased level of complexity. Staffing support would fluctuate throughout the process. At a minimum, the GPA would have a project team totaling approximately 1.5 full time equivalent (FTE) staff. Support from GIS, County Counsel, and other departments is also anticipated but not included in the above estimates because additional funding for their support would not be necessary.

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The schedule and cost to accomplish the Very Low Complexity requests are approximately one half that of the Low Complexity requests. With the inclusion of a 10% contingency, costs associated with the Very Low Complexity requests are estimated to be approximately \$275K with a 10-month duration. This includes \$50K in consultant costs, primarily to support the traffic impact analysis unrelated to the TIF Program. Should an update to the TIF program be required upon adoption of the GPA to accommodate the Very Low Complexity requests, an additional \$150K in staff and consultant costs would be required.

GPA workplan costs associated with the Low and Medium Complexity category are estimated to fall within the range of \$690,000 to \$900,000. These costs are cumulative where the \$900,000 required to accommodate Medium Complexity category requests includes accommodating Very Low and Low Complexity requests. This includes \$300,000 to \$350,000 for a consultant to assist with analysis of each specific request, environmental documentation, responding to agency and public comments, and assisting with other required documentation. Staff and consultant costs to update the TIF to accommodate Low Complexity category requests are estimated to be an additional \$150K, similar to the costs for the Very Low Complexity requests. However, the costs to update the TIF to accommodate the Medium Complexity requests are estimated to be approximately \$250K in addition to the GPA workplan costs because extra effort would be required to address more significant changes to the Land Use Plan and possibly the Mobility Element network.

The High Complexity category requests include all requests ranging from the Very Low to High Complexity category and the GPA workplan is estimated to cost nearly \$1.2 million, including a 25% contingency and \$450K in consultant costs to perform similar tasks as those associated with the Low and Medium Complexity category requests. Also, the High Complexity category requests are estimated to take 45 months, including a 25% contingency. The Very High Complexity category requests, which would include accommodating all requests, is estimated to take 62 months at an estimated cost of \$1.56 million. This includes \$550,000 for consultants and a 30% contingency. In addition, the costs to update the TIF under both the High and Very High Complexity category are estimated to be at the top of the range, \$750K due to the likely requirement to comprehensively update the TIF Ordinance and supporting documents. The current TIF Update budget is \$850K. A comprehensive TIF Update would require traffic modeling, an update to all technical documents, extensive public outreach, and ongoing internal coordination.

Should the Board direct that a workplan be pursued, the level of complexity and controversy correlates to the amount of resources the GPA requires as well as the timeline. However, these changes are difficult to anticipate and accurately forecast. As provided in Table 2, more complex requests are estimated to take longer and would be more costly. These more complex requests are also likely to raise more controversy and present a higher risk for litigation.

Transportation Impact Fee (TIF) Program Impacts

The TIF program and associated fees are derived from projected land use development and the planned Mobility Element road improvements according to the County's adopted General Plan. Consistency between the adopted General Plan and the TIF program ensures that the cumulative traffic impacts resulting from planned development in the unincorporated area are adequately

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mitigated by the TIF program. Approved GPAs that result in increased land use densities and/or expansion of the Mobility Element roadway network would have a direct effect on TIF program costs and fee rates which would prompt the need to update the TIF program.

Therefore, adoption of a GPA that changes the General Plan's land use map and/or Mobility Element network could very likely make the TIF program inconsistent with the General Plan. The more substantial the changes are to the Land Use and/or Mobility Element Plans, the greater need there would be to revise/update the TIF program to ensure the program remains consistent with the adopted General Plan. For the Very Low and Low Complexity requests, staff will be able to use the analysis conducted with the GPA to determine whether or not an update of the TIF is warranted.

The following is a recommended workplan for updating the TIF program, which would begin only after the GPA workplan has been completed and the GPA(s) adopted. The scope of this workplan would vary significantly depending upon the scope of changes the TIF update is addressing. A schedule will be provided when this scope of changes is known and identification of the funds is requested.

1. Project Initiation
 - a. Prepare detailed scope of work and preliminary project schedule
 - b. Contract with consultant
 - c. Allocate appropriate resources
 - d. Inform internal and external stakeholders
2. Data Collection & Coordination
 - a. Collect and assemble available data from County's TIF Ordinance
 - b. Define base year and future year conditions. Collect and compile TIF programs materials from other jurisdictions. Review and evaluate program concepts and methodologies.
 - c. Coordinate approach to traffic modeling based upon consideration of previous TIF modeling efforts
 - d. Refine program objectives, approach and project schedule.
3. Traffic Modeling
 - a. Develop Base Year/Existing Conditions and Buildout/Year 2030 traffic forecast models and related output needed to identify existing LOS deficiencies and identify where future road improvements are needed to accommodate new development
 - b. Quantify total lane miles necessary to accommodate future year growth conditions and to correct existing deficiencies
 - c. Estimate future lane miles that will be constructed to mitigate direct/fronting project impacts. Calculate lane miles attributable to future growth
4. Nexus Analysis
 - a. Review unit cost assumptions
 - b. Determine TIF roadway unit-costs-per-lane-mile and any other TIF costs
 - c. Calculate total cost of improvements
 - d. Determine TIF rates based on unit-costs-per-lane-mile
 - e. Recalculate fee based on new unit costs or average daily trip by land use category
5. Public Meetings/Hearings
 - a. Prepare an updated draft TIF report

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- b. Conduct four public participation or industry stakeholder meetings
- c. Prepare for and attend Board of Supervisors (BOS) hearing for TIF fee update

Unresolved Requests

For several of the requests, the Board directed that staff work with the property owner and in some cases the community group to identify a solution (if feasible) that would be agreeable to the property owner and not conflict with the General Plan principles and policies. For the majority of the requests (48 out of 56), a scenario that the property owner could support was identified. These scenarios are reflected in what staff evaluated for the workplan. The eight requests where it was infeasible to satisfy the requestor are summarized below. It should be noted that while the below requests cannot be satisfied entirely, staff has identified possible avenues to address some if not all of the property owner's goals. More detail on these requests can be found in the worksheets provided in Attachment A.

FB2/FB18 Requestor: Fritz Family Trust (Matthew Peterson)
Original Request: SR2/SR10 *Adopted GP: RL20/RL40*

BOS Direction: Review the proposed land use designations to find a compromise solution with the property owner, if feasible, for a less than major change to the proposed land use designation.

Outcome: Staff was able to develop a compromise which would change the designation of the SR2 requested area from RL20 to SR4 and the designation of the SR10 requested area from RL40 to RL20. The property owner did not agree to this. They were willing to accept the planning group's recommendation of SR10 for the entire ownership. However, this designation does not exist immediately adjacent to the project site and is not consistent with how other properties outside of the County Water Authority boundary were mapped under the General Plan Update. Further, the planning group and property owner both gave the proximity to the Meadowood, Campus Park, and Palomar Community College developments as rationale for the densities. These developments are separated from the property by open space and a mining operation, and their only connection is by travelling over a mile on SR-76. While they are nearby, this property would not be considered an extension of the village for planning purposes.

JD16 Requestor: Rick Alexander
Original Request: SR4 *Adopted GP: RL40*

BOS Direction: Re-examine if the property fits into the overall planning for the area and to work with the Planning Group to determine if a solution is feasible.

Outcome: This property is in an area outside the County Water Authority which has generally been designated SR10 where parcelization has occurred and RL40 for larger lots that have not yet been divided. The Planning Group recommended RL20. However, RL20 is only applied in very limited and special circumstances outside of the County Water Authority, such as when it is reflective of existing parcelization. Staff also evaluated whether SR10 would be appropriate but it is

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apparent that the SR10 was only applied in this area to small parcels that are located along the main roads. Assigning any designation to this property other than RL40 would require reconsideration of the designations for a considerable number of parcels in the area and would not be consistent with the Guiding Principles of the General Plan. Therefore, no feasible solution was identified and no scenario is further evaluated by staff for the General Plan Amendment workplan.

ME19

Requestor: Frankie Thibodeau

Original Request: Industrial

Adopted GP: RL80

BOS Direction: Work with the property owners and the applicable community planning group to determine an agreeable solution.

Outcome: This property owner requests a designation that would allow food production on their property. The County's Zoning Ordinance currently classifies food production as an Industrial use and therefore the use can currently only be accommodated with an Industrial or Heavy Commercial designation. Both of these designations require access to key transportation corridors, however, this property is located approximately one-half mile down a dead-end road and would raise potential issues with the County Consolidated Fire Code. Also, an Industrial or Heavy Commercial designation would potentially allow for numerous other uses such as large warehousing and manufacturing facilities. These types of uses could have detrimental impacts to this rural area, such as aesthetic, large truck traffic, air quality, noise, and fire threat. If the Board would like to provide greater flexibility to allow food production in rural and agriculture areas, rather than changing the designation on this particular property the Board could consider an amendment to the County's Zoning Ordinance that allows for limited food production. Amending the Zoning Ordinance in this manner could benefit numerous properties, especially agricultural operations, in the unincorporated area by allowing a limited amount of food production and sales on their property, which is consistent with the property owner's request. The amendment would be of Medium complexity and could require an Environmental Impact Report. Therefore, the schedule and cost estimate for undertaking the Zoning Ordinance amendment would be comparable to that of a Medium complexity category request described above, costing an additional \$900K.

NM15

Requestor: Auerbach Santa Ysabel Ranch LP

Original Request: RL40

Adopted GP: RL80

BOS Direction: Work with the property owner on a solution along the corridor immediately adjacent to the existing commercial zone and to the highway interchange.

Outcome: For this property, staff considered a designation along SR-79, north of the interchange that would cover approximately 5 acres and either allow for additional residential development or expansion of commercial uses. However, during staff's research it was determined that any such change would conflict with

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state law. The property is in a Williamson Act Contract and an Agricultural Preserve. State law requires that zoning in an Agricultural Preserve be consistent with the Williamson Act which precludes non-agricultural commercial uses or non-agricultural residential development. Therefore, while the designations being considered could be consistent with the General Plan principles, it could not be legally applied to the land until it was removed from the contract and preserve. Removal from a Williamson Act Contract typically takes 10-years. Staff has communicated this information to the property owner.

RM22

Requestor: Jeanine Hawkins

Original Request: RL40

Adopted GP: RL80

BOS Direction: Refer RM22 to the Ramona Community Planning Group to review and consider the zoning transition between the property to the south and the properties to the north.

Outcome: The Ramona Community Planning Group recommended that RM22 be designated RL40, however, no rationale was provided and the concept of a transition was not addressed. Staff investigated various approaches to differentiating RM22 as a transition property that RL40 would be appropriate for. However, staff could not identify any distinguishing characteristics that would support RM22 being designated RL40 and the properties to the south and east being designated RL80. Currently, the transition between the RL40 and RL80 designations is clearly identified where smaller parcels transition to larger parcels. Staff concluded that a RL40 designation for RM22 would require redesignation of a much larger area from RL80 to RL40 and would be inconsistent with the General Plan Guiding Principles. Therefore, no redesignation scenario is further evaluated by staff for the General Plan Amendment workplan.

VC67/RM3

Requestor: Jerry Gaughan

Original Request: Industrial

Adopted GP: SR2

BOS Direction: Review the proposed land use designation for the property described by Jerry Gaughan and evaluate adjacent parcels. (Parcels within the floodway in Ramona were also included in this review based on Board direction.)

Background: This request involves properties that have historically been used and designated for industrial purposes but are now designated for residential use because they lie within a floodway per County and Federal Emergency Management Agency (FEMA) standards. Because the County of San Diego participates in the National Flood Insurance Program (NFIP), the County is required to regulate private property consistent with federal criteria. Federal law (44 CFR 60.3(b)(4) and 60.3(d)(3)) prohibits encroachment in the floodway, unless it can be demonstrated that the proposed encroachment would not result in any increase in flood levels during an occurrence of the base flood (100-year flood) discharge.

The County's Flood Damage Prevention Ordinance (Section 811.506) is consistent with Federal law and refers to this requirement as the 'No Rise'

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certification which substantially restricts the placement of any structures, materials, vehicles, or other obstructions on the property. Additionally, the Resource Protection Ordinance Section 86.604c limits uses within a floodway to agricultural, recreational, and other such low-intensity uses provided that the use does not substantially harm the environmental values of a particular floodway area. Potentially viable uses on the property while it remains in a designated floodway include agriculture, a solar farm, and law enforcement vehicle storage, all of which are allowed under the current designation and zoning. Staff could foresee no Industrial use that could be in the floodway that would be consistent with County and Federal regulations. Therefore the current designation and zoning best reflect the restricted nature of the site. Information on the Ramona floodway issues are discussed on the VC67 worksheet in Attachment A.

Outcome: Because the property lies within a mapped floodway and is subject to additional County and Federal regulations, designation of the property as Industrial would be inconsistent with the policies of the General Plan. In particular, Policy S-1.1 which requires designations to reflect site specific constraints and hazards, and Policy S-10.1 which requires limitations on uses in the floodway. However, the property owner has contended that the property does not lie within the floodway and that the floodway mapping should be revised. To support this assertion, the applicant would be required to restudy the area to demonstrate the inaccuracies of the current mapping. A restudy of the floodway mapping by the applicant (if allowed) could potentially provide a path to re-designation of the subject property to Industrial use. However, floodway delineations represent regulatory boundaries that are intended to remain in place indefinitely, and are only revised with good cause and under extraordinary circumstances, as opposed to floodplain boundaries, which are physically based and can change due to physical alterations.

If the Board were to direct staff to restudy the area to determine changes to the mapping since the original study, the outcome could potentially show a revised floodplain and floodway delineation. However, while the outcome of such a study might demonstrate that some portion of the floodway is no longer on the subject property, it may also uncover grading violations and/or it could show that the floodway and floodplain now affect many more properties that were previously unmapped. While this could result in regulatory and insurance impacts to those properties, the updated maps would reflect the reality of the floodplain and maintaining updated floodplain maps is required by state law. Assuming the restudy is limited to that area around the subject property, the process would be anticipated to take six to twelve months and cost approximately \$50,000; however, funding for the flood map updates are not accounted for in the Flood Control District budget. If restudy is not directed by the Board, the property owner may conduct the restudy and process a map revision.

Options for Board Direction

As indicated above, it is recommended that the Board provide direction to staff on whether or not to take specific action on any request, such as initiation of a General Plan Amendment. The

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workplan, schedule, and cost estimates presented above are for the processing of a General Plan Amendment. The Board could direct staff to include all requests, or just a subset of the requests, in a General Plan Amendment.

Requests that are not included in a Board-initiated General Plan Amendment could be subject to other actions such as but not limited to the following:

- All requests have the opportunity to proceed as privately-initiated General Plan Amendments. Through revisions to Board Policy I-63 for initiating such amendments, the Board removed any upfront approvals need to submit application to the department. To continue in this manner, no further action is needed by the Board.

The Board could defer some requests to the future. Some of the requests with larger study areas such as those in Bonsall and Valley Center may be better evaluated as part of a Community Plan Update. The Board could defer consideration of those requests until an update is initiated.

Environmental Statement

Direction by the Board for staff to initiate the preparation of a General Plan Amendment does not commit the County to any specific outcome and therefore it is not a “project” as defined by CEQA and no environmental documentation is required at this time. Should the Board decide to direct changes to the General Plan, those changes will require a General Plan Amendment. The process to approve a General Plan Amendment is outlined in state law and is considered a project subject to CEQA.

Linkage to the County of San Diego Strategic Plan

The County’s General Plan is consistent with the County of San Diego’s 2011-2016 Strategic Plan Initiatives for Kids, the Environment, and Safe and Livable Communities by implementing goals and policies for the physical development of the unincorporated county that attempt to improve housing affordability, locate growth near infrastructure, services and jobs, assign densities based on characteristics of the land (e.g. topography, habitats, and groundwater resources), and create a model for community development.

Respectfully submitted,



SARAH E. AGHASSI
Deputy Chief Administrative Officer

ATTACHMENT(S)

Attachment A – Property Requests Analysis

SUBJECT: GENERAL PLAN AMENDMENT WORKPLAN OPTIONS FOR PROPERTY SPECIFIC REQUESTS (DISTRICT: ALL)

AGENDA ITEM INFORMATION SHEET |

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

Yes No

PREVIOUS RELEVANT BOARD ACTIONS:

January 9-11, 2012 (4) – Formally referred to the Chief Administrative Officer 56 properties identified by the General Plan Update Property Specific Requests Workshop and directed staff to return with a work plan.

August 3, 2011 (1) – Directed staff to evaluate all remaining property specific requests and to schedule a workshop with the Board for review.

BOARD POLICIES APPLICABLE:

N/A

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):

N/A

ORIGINATING DEPARTMENT: Department of Planning and Land Use

OTHER CONCURRENCE(S): Department of Public Works

CONTACT PERSON(S):

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